

REMARKS

This responds to the Advisory Action mailed on October 4, 2004.

Claims 1-11, 13-17, 19-21, 3, 24, 27-29, 31, 33, 37-38, and 40 have been amended.

Claims 1-34 and 37-41 are now pending in this application.

Interview on November 30, 2004

Applicant wishes to thank Examiner Nguyen for the courtesies extended during a telephone interview on November 30, 2004. Applicant's below signed representative and Examiner Nguyen discussed the claims and potential amendments to the rejected claims to clarify that the mechanisms that control RF emissions of the wireless phones were separate from the wireless phones. The claims have been amended consistent with our discussion to indicate that the wireless phones are separate from an on-board base station that provides such control.

§103 Rejection of the Claims

Claims 1-2, 4-7, 10-11, 13, 15, 19-20, 22-23, 27-28, 30-31 were rejected under 35 USC § 103(a) as being unpatentable over Corbefin et al. (U.S. Patent No. 6,269,243) in view of Miyake (U.S. Patent No. 5,732,334). This rejection is respectfully traversed.

The amendments to the rejected claims are believed to clarify the claims to indicate that the wireless phones are separate from the elements of an on-board base station that control the power output of the separate wireless phones. This is believed to address the remarks in the Advisory Action and as discussed in the above referenced interview. Allowance of the claims is respectfully requested.

Claims 3, 14, 21, 29, 37-38 were rejected under 35 USC § 103(a) as being unpatentable over Corbefin et al. (U.S. Patent No. 6,269,243) in view of Miyake (U.S. Patent No. 5,732,334) and further in view of Zicker (U.S. Patent No. 5,995,833). This rejection is respectfully traversed. The claims are now believed allowable in view of the amendments.

Claims 9, 17, 25, 33, 40 were rejected under 35 USC § 103(a) as being unpatentable over Corbefin et al. (U.S. Patent No. 6,269,243) in view of Miyake (U.S. Patent No. 5,732,334) and further in view of Ray et al. (U.S. Patent No. 6,108,539). Since these claims depend from claims that are now believed allowable, the rejection is believed moot.

Allowable Subject Matter

Claims 8, 16, 24, 32, 39 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 8 has been rewritten consistent with the objection. The remainder of the claims now depend from claims which are believed allowable.

Claims 12, 18, 26, 34, 41 were indicated to be allowable.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 373-6972 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

DAVID GILBERT

By his Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6972

Date 11/30/2004

By Bradley A. Forrest
Bradley A. Forrest
Reg. No. 30,837

Cross Opus David Gilbert
Name Signature
CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop RCE, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 30th day of November, 2004.

Cross Opus

David Gilbert